

1 parties is necessary to making an informed decision regarding the plea and/or continuing with
2 trial preparation. Additional time is required to complete the above-referenced evaluation by the
3 respective parties and to afford time for the parties to complete negotiations stemming from the
4 above-referenced matters and either resolve the case or prepare for trial.

5 3. The parties agree that the time between January 24, 2007 and February 14, 2007 shall
6 be excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section
7 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv).
8 The parties agree that the time is excludable in that the ends of justice served by granting this
9 continuance outweigh the best interests of the public and the defendants in an earlier trial
10 specifically based on the need for counsel to have adequate time to complete their consideration
11 of the totality of the discovery, and subsequently developed information, in connection with a
12 possible disposition. The parties therefore agree that a continuance is necessary to ensure that
13 counsel are prepared to make informed decisions regarding the case, and denial of such a
14 continuance would unreasonably deny defendant Herrera effective case preparation pursuant to
15 18 U.S.C. § 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

16
17 KEVIN V. RYAN
United States Attorney

18
19 _____
DATE

JEFFREY D. NEDROW
Assistant United States Attorney

20
21 _____
DATE

ROBERT LYONS
Attorney for Roland Herrera

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. CR 05-00531-JF
)	
Plaintiff,)	
)	
v.)	ORDER CONTINUING PLEA
)	<u>HEARING AND EXCLUDING TIME</u>
ROLAND HERRERA,)	
)	
Defendant.)	
_____)	

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE PARTIES, IT IS HEREBY ORDERED that the plea hearing in the above-referenced case is continued from January 24, 2007 to February 14, 2007 at 9:00 a.m.

The Court finds the time from January 24, 2007 to February 14, 2007 excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The Court finds that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial specifically based on the need for counsel to have adequate time to complete their consideration of the totality of the discovery, and subsequently developed information, in connection with a possible disposition. The Court finds

1 that a continuance is necessary to ensure that counsel are prepared to make informed decisions
2 regarding the case. The Court further finds that denial of such a continuance would unreasonably
3 deny defendants effective case preparation pursuant to 18 U.S.C. § 3161(h)(8)(A) and
4 3161(h)(8)(B)(iv).

5
6 DATE: 1/23/07


JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	